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700151802

SENNIGER POWERS
KATHLEEN M. PETRILLO
ONE METROPOLITAN SQUARE
16TH FLOOR
ST. LOUIS, MO 63102

UNITED STATES PATENT AND TRADEMARK OFFICE
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PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 02/04/2005

REEL/FRAME: 015662/0810
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

ELANEX PHARMA (IOM) LTD.

DOC DATE: 08/24/2001

ASSIGNEE:

BAXTER HEALTHCARE S.A.
HERTISTRASSE 2
WALLISELLEN, KANTON
ZURICH, SWITZERLAND CH-8306

SERIAL NUMBER: 09637962

PATENT NUMBER:

FILING DATE: 08/11/2000

ISSUE DATE:

TITLE: THERAPEUTIC METHODS FOR TREATING SUBJECTS WITH A RECOMBINANT
ERYTHROPOIETIN HAVING HIGH ACTIVITY AND REDUCED SIDE EFFECTS

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015662/0810 PAGE 2

MARCUS KIRK, EXAMINER
ASSIGNMENT DIVISION
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Form PTO-1595 (Rev. 09/04)
OMB No. 0651-0027 (exp. 6/30/2005)

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RECORDATION FORM COVER SHEET PATENTS ONLY	
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1. Name of conveying party(ies)/Execution Date(s): Elanex Pharma (IOM) Ltd. Execution Date(s) <u>2001</u> Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	2. Name and address of receiving party(ies) Name: <u>Baxter Healthcare S.A.</u> Internal Address: _____ Street Address: <u>Hertistrasse 2</u> <u>Wallisellen, Kanton</u> City: <u>Zurich</u> State: _____ Country: <u>Switzerland</u> Zip: <u>CH-8306</u> Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
3. Nature of conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Government Interest Assignment <input type="checkbox"/> Executive Order 9424, Confirmatory License <input type="checkbox"/> Other _____	4. Application or patent number(s): <input type="checkbox"/> This document is being filed together with a new application. A. Patent Application No.(s) <u>09/637,962; filed August 11, 2000</u> B. Patent No.(s) Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
5. Name and address to whom correspondence concerning document should be mailed: Name: <u>Kathleen M. Petrillo</u> Internal Address: <u>Senniger Powers</u> Street Address: <u>One Metropolitan Square</u> <u>16th Floor</u> City: <u>St. Louis</u> State: <u>Missouri</u> Zip: <u>63102</u> Phone Number: <u>314-231-5400</u> Fax Number: <u>314-231-4342</u> Email Address: <u>uspatents@senniger.com</u>	6. Total number of applications and patents involved: <u>1</u> 7. Total fee (37 CFR 1.21(h) & 3.41) \$ 40.00 <input type="checkbox"/> Authorized to be charged by credit card <input type="checkbox"/> Authorized to be charged to deposit account <input checked="" type="checkbox"/> Enclosed <input type="checkbox"/> None required (government interest not affecting title)
8. Signature: <u>Kathleen M. Petrillo</u> Signature Kathleen M. Petrillo Name of Person Signing	8. Payment Information a. Credit Card Last 4 Numbers _____ Expiration Date _____ b. Deposit Account Number <u>19-1345</u> Authorized User Name <u>Senniger Powers Leavitt &</u> Date <u>2-4-05</u> Total number of pages including cover sheet, attachments, and documents: <u>3</u>

Documents to be recorded (including cover sheet) should be faxed to (703) 306-6896, or mailed to:
Mail Stop Assignment Recordation Services, Director of the USPTO, P.O. Box 1460, Alexandria, V.A. 22313-1460

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TRANSACTION REPORT

P. 01

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SENNIGER POWERS

One Metropolitan Square, 16th Floor
St. Louis, Missouri 63102

Telephone (314) 231-5400
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FACSIMILE TRANSMITTAL COVER SHEET

BXTR 9005

DATE: February 18, 2005 ATTORNEY DOCKET NUMBER: ELX-5704 (US)

PTO FACSIMILE NUMBER: (703) 306-5995

PLEASE DELIVER THIS FACSIMILE TO: PTO Assignment System (PTAS)

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Lori Macke
Typed or printed name of person signing certification

Lori Mache • 2-18-05

Signature Date

Type of paper transmitted: Response Under 37 C.F.R. 3.51,
Recordation Form Cover Sheet, Agreement and copy of Notice of Non-
Recordation

Applicant's Name: L. Thompson

Serial No. (Control No.): 09/637,962 Examiner: R. DeBerry

Filing Date: August 11, 2000 Art Unit: 1647

Application Title: THERAPEUTIC METHODS FOR TREATING SUBJECTS WITH A RECOMBINANT ERYTHROPOIETIN HAVING HIGH ACTIVITY AND REDUCED SIDE EFFECTS

IF YOU DO NOT RECEIVE ALL PAGES CLEARLY, CALL BACK AS SOON AS POSSIBLE. CONFIRMING NUMBER IS (314) 231-5400.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of L. Thompson
Serial No. 09/637,962
Filed August 11, 2000
Confirmation No. 8001

Art Unit 1647

For THERAPEUTIC METHODS FOR TREATING SUBJECTS WITH A RECOMBINANT
ERYTHROPOIETIN HAVING HIGH ACTIVITY AND REDUCED SIDE EFFECTS

Examiner Regina M. DeBerry

February 18, 2005

RESPONSE UNDER 37 C.F.R. 3.51

TO THE COMMISSIONER FOR PATENTS,

SIR:

* In response to the Notice of Non-Recordation of Document dated February 9, 2005,
regarding Document ID No.: 700151804, Applicant herein resubmits the attached assignment
with a corrected cover sheet.

The Commissioner is hereby authorized to charge any additional fees required to Deposit
Account No. 19-1345.

Respectfully submitted,



Kathleen M. Petrillo, Reg. No. 35,076
SENNIGER POWERS
One Metropolitan Square, 16th Floor
St. Louis, Missouri 63102
(314) 231-5400

KMP/lam

*Attachment

RECORDATION FORM COVER SHEET PATENTS ONLY

To the Director of the U.S. Patent and Trademark Office: Please record the attached documents or the new address(es) below.

1. Name of conveying party(ies)/Execution Date(s):

Lawrence H. Thompson

Execution Date(s) October 4, 2001Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No**3. Nature of conveyance:**

- ☐ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Government Interest Assignment
☐ Executive Order 9424, Confirmatory License
☒ Other Agreement

2. Name and address of receiving party(ies)Name: Elanex Pharma (IOM), Ltd.

Internal Address: _____

Street Address: Maitland ServicesPost 75 Falcon Cliff RoadCity: Douglas

State: _____

Country: Isle of Man

Zip: _____

Additional name(s) & address(es) attached? ☐ Yes ☒ No**4. Application or patent number(s):**

This document is being filed together with a new application.

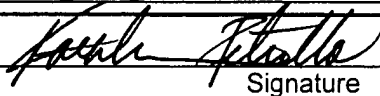
A. Patent Application No.(s)

09/637,962; filed August 11, 2000

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No**5. Name and address to whom correspondence concerning document should be mailed:**Name: Kathleen M. PetrilloInternal Address: Senniger PowersStreet Address: One Metropolitan Square16th FloorCity: St. LouisState: MissouriZip: 63102Phone Number: 314-231-5400Fax Number: 314-231-4342Email Address: uspatents@senniger.com**6. Total number of applications and patents involved:**1**7. Total fee (37 CFR 1.21(h) & 3.41) \$ 40.00**

- ☐ Authorized to be charged by credit card
☒ Authorized to be charged to deposit account
☐ Enclosed
☐ None required (government interest not affecting title)

8. Payment Informationa. Credit Card Last 4 Numbers _____
Expiration Date _____b. Deposit Account Number 19-1345Authorized User Name Senniger Powers Leavitt &**9. Signature:**


Signature

2-18-05
 Date

Kathleen M. Petrillo

Name of Person Signing

Total number of pages including cover sheet, attachments, and documents:

5

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AGREEMENT

THIS AGREEMENT (the "Agreement") is entered into as of the __ day of October, 2001, by and between Lawrence H. Thompson ("Thompson") and Elanex Pharma [IOM], Ltd, an Isle of Man Corporation (IOM).

WHEREAS, Baxter Healthcare SA, a company incorporated under the laws of Switzerland ("Buyer"), Baxter Corporation, a company incorporated under the laws of the province of Ontario, Elanex Pharma (BHMA), Ltd., a company organized and registered in the Bahamas, Elanex Pharmaceuticals, Inc., IOM Ltd., a company incorporated under the laws of the Isle of Man and wholly owned subsidiary of BHMA, Citex Laboratory, Ltd., a company incorporated under the laws of British Columbia and a wholly owned subsidiary of BHMA and Thompson are parties to that certain Asset Purchase Agreement dated as of August 24, 2001, as such agreement may be amended from time to time (the "Asset Purchase Agreement"); and

WHEREAS, in connection with the Asset Purchase Agreement, Buyer has requested that Thompson assign all of his right, title and interest in and to Work Product (as hereafter defined) to IOM, and Thompson has agreed to do the same.

NOW THEREFORE, in consideration of the transactions contemplated by the Asset Purchase Agreement, and for other good and valuable consideration, the sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. Work Product; Work. For purposes of this Agreement, "Work Product" means: (a) all intellectual property rights, including, without limitation, all U.S. and international copyrights, trade secrets, trademarks, patentable inventions, and other intellectual property rights in and to any ideas, concepts, techniques, programming, documentation, technology, formulas, compounds, compositions, biomedical, pharmaceutical and medical materials, cells, plasmids, fragments and constructs thereof, inventions, processes, works of authorship or other work product developed, conceived, reduced to practice, memorialized, made or created by Thompson, alone or jointly with others that relate to the business of scientific, clinical and commercial development, manufacture, marketing, distribution and sale of recombinant erythropoietins.
2. Ownership. Thompson hereby transfers and assigns, without further consideration, all of Thompson's right, title and interest in and to the Work Product to the Company, provided that as to IOM and all Elanex companies only, [but not Buyer who shall be entitled to rely on the finality and final binding nature of this agreement], Thompson reserves all rights he may have in respect to same.
3. Assignment. The Company may assign this Agreement to Buyer or any affiliate of Buyer. This Agreement shall inure to the benefit of, and be binding upon, the Company, together with its successors and assigns, and Thompson, together with Thompson's executors, administrators, personal representatives, heirs, and legatees.

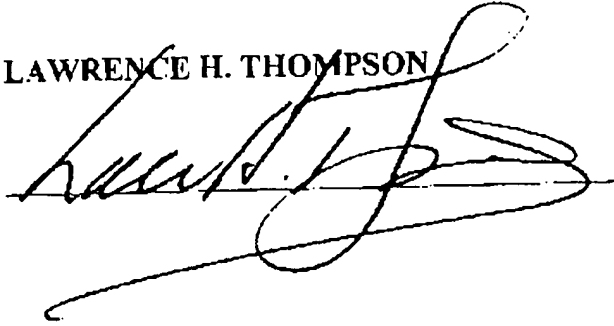
IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed the day and year first above written.

ELANEX PHARMA (IOM) Ltd.

LAWRENCE H. THOMPSON

By: 

Lawrence H. Thompson
Chief Executive Officer



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FEBRUARY 09, 2005

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SENNIGER POWERS
KATHLEEN M. PETRILLO
ONE METROPOLITAN SQUARE
16TH FLOOR
ST. LOUIS, MO 63102

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF NON-RECORDATION OF DOCUMENT

DOCUMENT ID NO.: 700151804

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THE ORIGINAL DATE OF FILING OF THIS ASSIGNMENT DOCUMENT WILL BE MAINTAINED IF RESUBMITTED WITH THE APPROPRIATE CORRECTION(S) WITHIN 30 DAYS FROM THE DATE OF THIS NOTICE AS OUTLINED UNDER 37 CFR 3.51. THE RESUBMITTED DOCUMENT MUST INCLUDE A STAMP WITH THE OFFICIAL DATE OF RECEIPT UNDER 37 CFR 3. APPLICANTS MAY USE THE CERTIFIED PROCEDURES UNDER 37 CFR 1.8 OR 1.10 FOR RESUBMISSION OF THE RETURNED PAPERS, IF THEY DESIRE TO HAVE THE BENEFIT OF THE DATE OF DEPOSIT IN THE UNITED STATES POSTAL SERVICE.

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1. PLEASE REVIEW THE DATE IN ITEM 1-THERE SEEM TO BE 31 POTENTIAL DATES. PTO COMPUTERS AT THIS TIME REQUIRE A SPECIFIC DATE.

STEVEN POST, EXAMINER
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